REMARKS

Claims 1-18 are pending in the application. Claim 1-18 are rejected.

Claims 1-18 are objected to for informalities. The objected to claims have been amened to clarify the claimed invention.

Claims 1-11 and 16-18 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In the Office Action it is asserted that it's unclear whether "a path" is related to the "plurality of paths." It is respectfully submitted that the path could be a part of the plurality of paths, but the plurality of paths is not necessarily the path referred to in line 2.

Claims 1, 5 and 9 are rejected under 35 U.S.C. § 102(e) as being anticipated by Schuster et al. (Schuster). Claims 12-15 are rejected under 35 U.S.C. § 102(e) as being anticipated by Haddock et al. (Haddock). Under 35 U.S.C. § 103(a) claims 2 and 6 are rejected as unpatentable over Schuster in view of Reichman et al. (6,240,073), and claims 3, 7 and 10 are also rejected as unpatentable over Schuster in view of Kerstein (6,249,521). Claims 4, 8, 11 and 16-18 are also deemed unpatentable over Schuster in view of Haddock.

Independent claims 1, 5, 9, 12 and 16-18 have been rejected by at least one of Schuster and Haddock. It is respectfully submitted the present claimed invention is patentably distinguished from the cited references for at least the following differences.

Schuster

Schuster discloses a routing system may route copies of the same real-time media signal simultaneously over a plurality of different transmission paths and a receiving end may be configured to play out the copy of the signal that encountered the lowest delay (col. 15, lines 17-22).

However, Schuster only discloses the routing system sends out the copies of the same real-time media simultaneously over plurality of different transmission paths.

Neither of col. 9, lines 9-38 or col. 10, lines 14-30 of Schuster describe the referring to a header of a received frame and determines whether an application of a host layer in the transmitting terminal is a real-time application. Schuster describes there is a header in col. 9, lines 17-18 but that is all.

In contrast applicant claims in 1 and 16 the application discriminating unit refers to a header of a received frame and determines whether an application of a host layer in the transmitting terminal is a real-time application.

In addition the claims 1 and 16 recites the frame transmitting unit sends the received frame to a plurality of paths in the direction of a destination if the application is a real-time application. Schuster only discloses the routing system sends out the copies of the same real-time media simultaneously over plurality of different transmission paths (col. 15, lines 17-22). Schuster does not disclose "if the application is a real-time application."

It is respectfully submitted Schuster does not disclose an application discriminating unit and a frame transmitting unit.

With regard to claims 5 and 17, it is respectfully submitted Schuster does not disclose an application-type discriminating unit and a frame transmitting unit. The application-type discriminating unit refers to a header of a received frame and discriminates the type of application of a host layer in the transmitting terminal. The frame transmitting unit sends the received frame to a plurality of paths in the direction of a destination if the type of an application is a predetermined type and sends the received frame to a single path in the direction of the destination otherwise.

Further, Schuster does not disclose an address-match discriminating unit and a frame transmitting unit in claims 9 and 18. The address-match discriminating unit determines whether a destination address or a transmission-source address contained in a header of a received frame matches an address that has been already registered. The transmitting unit sends the received frame to a plurality of paths in the direction of a destination if the addresses match and sends the received frame to a single path in the direction of the destination otherwise.

Haddock

Haddock relates to and teaches a technique for an address filter in a LAN system. In contrast to Haddock, applicant's claim 12 does not relate to a technique for an address filter.

Applicant's claim 12 relates to a frame forwarding installation that does not repeatedly send the identical frame to a destination terminal in a case where the identical frames arrive via plural paths.

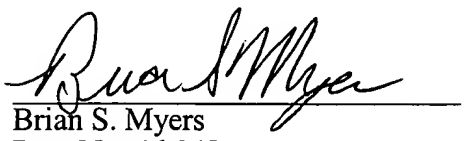
Accordingly, it is respectfully submitted Haddock does not disclose a storage unit and a redundant-frame filter of claim 12.

Claims 16-18 under 35 U.S.C. § 103(a) as being unpatentable over Schuster in view of Haddock. In view of the foregoing arguments it is respectfully submitted that the network in claims 16-18 is not taught by Schuster in view of Haddock.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,



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